

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,	:	
	:	
v.	:	06-CR-411
DARRELL LIVINGSTON,	:	
	:	
Defendant.	:	

ORDER TO CHANGE CASE CAPTION

On March 8, 2007, the parties appeared before the Court for sentencing. Assistant United States Attorney Trini E. Ross, appeared on behalf of the government; the defendant appeared personally and by his attorney, Assistant Federal Public Defender Kimberly A. Schechter.

Prior to sentencing, Ms. Schechter stated that the defendant's true name and identity is Donte Livingston, not Darrell Livingston, as he previously indicated and as is indicated on the caption in this case. Ms. Schechter further indicated that Darrell Livingston is the defendant's brother. At that time, this Court asked the defendant in open court and on the record to state his true name and identity. The defendant stated that he was Donte Livingston and that the name he was using, Darrell Livingston, was his bother. The

Court accepted the defendant's oral statement regarding his name and true identify and ordered that the case caption be changed to reflect such.

Specifically, and for the reasons set forth above, this Court has determined that the defendant's true identity is Donte Livingston, not Darrell Livingston, and as such the case caption should be changed to reflect the defendant's true identity along and his alias identity.

NOW, it is hereby

ORDERED, for the reasons set forth above that the case caption be changed to reflect the defendant's true identity of Donte Livingston along with his alias identity of Darrell Livingston; and it is further

ORDERED, that the caption in this case should be changed immediately to reflect the defendant's true and alias identity, Donte Livingston a/k/a Darrell Livingston.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: March 14 , 2007